



**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, DC**

**Posted 9/21/2004, 4:00pm**

**Served: September 21, 2004**

**In the Matter of  
2005/2006 U.S.-CHINA AIR SERVICES  
CASE AND DESIGNATIONS  
Docket OST-2004-19077**

**NOTICE SHORTENING ANSWER PERIOD**

By Order 2004-9-5, the Department issued an order instituting the *2005/2006 U.S.-China Air Services Case* and invited interested U.S. carriers to file applications for authority to serve the U.S.-China market and for allocations of frequencies effective March 25, 2005, and March 25, 2006. The Order established a procedural schedule requiring the incumbent carriers (Federal Express, Northwest, United, and UPS) to file information responses by September 10, 2004. All the incumbent carriers filed submissions on September 10.

On September 17, 2004, Federal Express Corporation filed a motion in the captioned proceeding requesting that the Department (1) compel Northwest, United and UPS to “fully and completely” respond to the Information Request by providing the complete itinerary for the subject flights, including the flight number, each flight’s complete routing, each flight’s day(s) of operation, and each flight’s departure and arrival times;<sup>1</sup> and (2) shorten the answer period for filing answers to this motion from seven to one business day. Under the Department’s regulations (14 CFR 302.6) answers to the motion would normally be due September 28, 2004.

Federal Express polled all parties served with the application and notified the Department that United and UPS have objected to Federal Express’ request for a shortened answer period.

As the resolution of this matter will have a bearing on the preparation of Direct Exhibits, due October 13, we have decided to grant, in part, Federal Express’ request to for a shortened answer period.

Therefore, acting under authority assigned in 14 CFR 385.3, we will shorten the answer period and require that answers be filed no later than noon on September 23, 2004, and replies to any answers be filed by noon on September 24, 2004. We believe this revision strikes a proper balance between the needs of all interested parties and will not prejudice any party to the proceeding.

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<sup>1</sup> Federal Express’ Motion at 4.

We will serve this notice by electronic mail and facsimile on all parties to this proceeding, and hereby authorize service of documents by facsimile and by electronic mail.

By:

PAUL L. GRETCH  
Director  
Office of International Aviation

(SEAL)

Dated: September 21, 2004

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